



# MARYLAND DEPARTMENT OF THE ENVIRONMENT

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Robert M. Summers, Ph.D.  
Deputy Secretary

March 10, 2010

The Honorable Maggie L. McIntosh, Chairman  
Environmental Matters Committee  
House Office Building, Room 251  
6 Bladen Street  
Annapolis, MD 21401-1991

Re: House Bill 982 – Solid Waste Management - Recycling - Requirements

Dear Chairman McIntosh:

The Maryland Department of the Environment (MDE or “the Department”) Land Management Administration has reviewed House Bill 982, entitled *Solid Waste Management - Recycling – Requirements*, and we would like to express our support for the overall objective of recycling while opposing the bill due to the resource burden it poses on MDE.

The Department is supportive of many concepts that would result in reduced disposal and increased recycling. Waste diversion and recycling save energy, reduce greenhouse gasses and other pollutants generated in the manufacturing process and at landfills, save natural resources, and reduce the amount of waste disposed. Even in times of lowered market returns on recyclables, there are avoided disposal costs associated with recycling.

In addition, for a number of years the Department has supported the concept of a solid waste management fee in Maryland that would provide consistent financial support for the State’s solid waste and recycling programs. It is estimated that this bill would provide nearly \$5.7 million per year in revenue to the State Recycling Trust Fund, based on current solid waste disposal tonnages in the State. The bill only allows the fee to be imposed on landfills, rubble landfills, and permitted refuse disposal systems that perform recycling services, and does not include incinerators, waste-to-energy facilities, or transfer stations that do not provide recycling services. The bill does not define “recycling services” nor provide the Department authority to clarify terms and provisions in regulation, which could make implementation problematic.

The Department’s fiscal note for this bill totaled more than \$4.2 million in its first year (three quarters of a year’s revenue, due to the effective date of the bill) for costs associated with hiring new staff to establish goals for solid waste reduction, ensure that counties have technical information and markets for their recyclables, review county recycling plans to ensure inclusion of the new solid waste reduction goals, develop the State’s recycling plan, determine the strategy for distributing money to the local governments to establish programs for waste reduction through recycling and reuse, manage the annual reports required

to be submitted by the counties, track fees from permitted facilities, develop the bar and restaurant beverage container recycling program, and manage correspondence, databases, and communications related to these new tasks. The bill only allows the Department 10 percent of the total revenues, or approximately \$570,000, to cover its direct costs and the costs of establishing and administering a bar and restaurant beverage container recycling program statewide. Approximately 9,310 bars and restaurants and 150 distributors would benefit from this legislation. Neither the bar and restaurant, nor the beverage distributor industries would provide direct fees to support this new program. In fact, these industries would save money by avoiding disposal costs from their increased recycling activities.

The bill also requires the Department to establish commodity-based solid waste reduction through recycling goals, by weight, for the counties to implement by January 1, 2020, as follows: 70 percent for aluminum; 50 percent for glass; 60 percent for paper; and 50 percent for polyethylene terephthalate (PET). Although it is sensible to review the current State mandated recycling rates for the counties, it would be more appropriate to work with stakeholders to develop clear and reasonable short and long term goals based on recycling history, markets, and trends.

Thank you for your consideration. We will continue to monitor House Bill 982 during the Committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-537-3304 or by e-mail at [htablada@mde.state.md.us](mailto:htablada@mde.state.md.us) if I can be of assistance.

Sincerely,



Horacio Tablada, Director  
Land Management Administration

cc: The Honorable Doyle L. Niemann  
Shari T. Wilson, Secretary  
Heather Barthel, Director of Legislation and Policy  
Lisa Nissley, Legislative Liaison/Environmental Justice Coordinator